

1 MAXIMILIEN D. FETAZ, ESQ., NV Bar No. 12737
mfetaz@bhfs.com
 2 MADYSON B. BATHKE, ESQ., NV Bar No. 16192
mbathke@bhfs.com
 3 BROWNSTEIN HYATT FARBER SCHRECK, LLP
 100 North City Parkway, Suite 1600
 4 Las Vegas, NV 89106-4614
 Telephone: 702.382.2101
 5 Facsimile: 702.382.8135

6 *Attorney for Walter Clark*

7

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 WALTER CLARK

11 *Plaintiff,*

12 v.

13 STATE OF NEVADA, ET AL.,

14 *Defendants.*

CASE NO. 2:22-cv-01260-APG-EJY

**STIPULATION AND ~~[PROPOSED]~~
 ORDER TO EXTEND TIME FOR
 PLAINTIFF TO FILE SECOND
 AMENDED COMPLAINT**

(SECOND REQUEST)

15 Plaintiff Walter Clark (“Plaintiff”), by and through his undersigned counsel of record, and
 16 Defendants Lansen De Costa, Salvatore Marino and Calvin Johnson (“Defendants” together with
 17 Plaintiff, the “Parties”), by and through their undersigned counsel of record, hereby stipulate and
 18 agree, contingent on this Court’s approval, as follows:

19 **WHEREAS** on July 18, 2024, this Court ordered Plaintiff’s to file a Second Amended
 20 Complaint on or before 60 days from entry of the Order.

21 **WHEREAS** Plaintiff’s current deadline to file the Second Amended Complaint is
 22 September 16, 2024.

23 **WHEREAS** Plaintiff is currently incarcerated at High Desert State Prison in the Nevada
 24 Department of Corrections (“NDOC”). Plaintiff’s counsel had a call scheduled with Plaintiff on
 25 September 11, 2024, to discuss the Second Amended Complaint. However, NDOC is currently
 26 under a statewide lockdown and NDOC phones are offline and unavailable for the entirety of the
 27 lockdown.

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BROWNSTEIN HYATT FARBER SCHRECK, LLP
 Attorneys at Law
 2009 North Las Vegas Street, Suite 35500
 Las Vegas, Nevada 89101-6007

1 **WHEREAS** Plaintiff seeks a brief extension of two weeks to file his Second Amended
2 Complaint in order to ensure that Plaintiff is able to review and comment upon the draft of the
3 Second Amended Complaint prior to its filing.

4 **ACCORDINGLY, IT IS HEREBY STIPULATED**, by and between Plaintiff and
5 Defendants, by and through their respective counsel, that:

6 1. Plaintiff shall filed his Second Amended Complaint on or before September 30,
7 2024.

8 2. This stipulation is made in good faith and is not made in an attempt to delay
9 proceedings.

10 **IT IS SO STIPULATED.**

11 DATED this 11th day of September, 2024.

12 DATED this 11th day of September, 2024.

13 /s/ Maximilien D. Fetaz
14 Maximilien D. Fetaz, Esq.
15 Madyson B. Bathke, Esq.
16 BROWNSTEIN HYATT FARB
17 ER SCHRECK, LLP
18 100 North City Parkway, Suite 1600
19 Las Vegas, NV 89106-4614

20 *Attorneys for Plaintiff Walter Clark*

21 /s/ Nathan M. Claus
22 Aaron D. Ford, Esq.
23 Attorney General
24 Nathan M. Claus, Esq.
25 Deputy Attorney General
26 STATE OF NEVADA
27 OFFICE OF THE ATTORNEY GENERAL
28 555 E. Washington Ave., Ste. 3900
29 Las Vegas, NV 89101
30 Telephone: (702) 486-7629
31 Facsimile: (702) 486-3773

32 *Attorneys for Defendants*

33 **IT IS SO ORDERED.**

34 **DATED: September 11, 2024**

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36 _____
37 UNITED STATES MAGISTRATE JUDGE